

**Sri H. C. LINGA REDDY.**—When the Chief Minister of the State visited K.G.F., did he not make enquiries about this rock-burst?

**Sri T. SIDDALINGAIYA.**—I understand it is so.

**Sri H. C. LINGA REDDY.**—May I know the result of his investigation?

**Sri T. SIDDALINGAIYA.**—No such thing was made.

### QUESTION FOR ANSWER ON THE DAY.

(NOT TAKEN UP)

#### Difference in literacy between District and District.

**Q.—498. Sri G. PAPANNA** (Sidlaghatta-Chikballapur).—

Will the Government be pleased to state:—

(a) the reason for the difference in the percentage of literacy between district and district in the State?

(b) the action contemplated by them to improve the districts which are backward in education?

**A.—Sri A. G. RAMACHANDRA RAO** (Minister for Law and Education).—

(a) The Census Report may be awaited to know the reasons.

(b) It will be examined if more schools can be given to such of the districts where the percentage is low.

#### President withholding assent to Mysore Cotton Control (Amendment) Bill, 1951.

**Mr. SPEAKER.**—The following declaration by the President has been received in respect of the Mysore Cotton Control (Amendment) Bill, 1951, passed by the Legislative Assembly on the 22nd January 1951:—

To

His Highness the  
Rajpramukh of Mysore.

I, Rajendra Prasad, having  
considered the Mysore Cotton

Control (Amendment) Bill, 1951, which was reserved for my consideration under the provisions of Article 200 of the Constitution of India, do hereby declare in pursuance of Article 201 of the Constitution, that I withhold assent from the Bill.

Sd. RAJENDRA PRASAD,

President.

31-3-1952.

The circumstances leading to this declaration may be shortly stated: The powers available to the Mysore Government under section 3 of the Principal Act, the Mysore Cotton Control Act, 1942, are powers calculated to regulate or prohibit the production, supply and distribution of cotton and trade and commerce therein. The Central Government possesses like powers under section 3 (1) of the Essential Supplies (Temporary Powers) Act, 1946 and the Mysore Cotton Control Act, 1942, has to be therefore regarded as a law which corresponds to the Essential Supplies (Temporary Powers) Act in so far as it relates to cotton and has to be treated as repealed by section 17 (4) of the Essential Supplies (Temporary Powers) Act with effect from 1st April 1952 when the Act was brought into force in Part B States. The question [of amending such an Act therefore cannot arise and the President has, in consultation with the State Government, accordingly withheld his assent to the Bill.

**Mr. SPEAKER.**—There is an adjournment motion sent this morning by Sri S. Gopala Gowda. The Hon'ble Member is not present.

The next item is Amendment of Rules of Procedure.

### AMENDMENT OF RULES OF PROCEDURE.

Leave to Amend.

**Sri A. G. RAMACHANDRA RAO** (Minister for Law and Education).—Sir, I move for leave to amend the

(SRI A. G. RAMACHANDRA RAO)

Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly.

Janab J. MOHAMED IMAM (Jagalur).—Sir, copies of these amendments were supplied to us only yesterday. But I will not take objection on that ground. I am sorry I have to differ from the Hon'ble mover regarding clauses 4 and 5 because the whole procedure regarding the election of the Speaker and Deputy Speaker is sought to be changed. It is not an urgent matter. If this is passed, it will come into effect only after five years when the election of the next Deputy Speaker or the Speaker takes place. Of course I do not anticipate any change of Speakers or Deputy Speakers in the meanwhile. Till now the practice was that the concerned candidate would file nomination and it would be proposed by one Member of this House and supported by the other; and a day would be fixed for election, and the election would be on the basis of secret ballot. So, the most important factor in the present procedure is that there was this secrecy of ballot. Every Member had a right to vote according to his conscience. That secrecy of ballot I think is sought to be taken away by this change. The procedure that is proposed is this: there will be a motion; one member would make a motion proposing the name of a candidate and that motion is put and then the Members are asked to give their assent or dissent by show of hands. I think this is hardly the procedure that can be applied for election for an important office as that of the Speaker. Speaker's place is a very responsible one: the election also is very responsible and Members must vote of their free choice and according to their conscience and unfettered by party mandate which is their internal arrangement. But once they enter this Assembly chamber they are free to vote as they please. It is this secrecy of voting that is taken away if this procedure is adopted. As I have said the position will be that the Members will vote under compulsion or according to

the mandate of a party or according to the mandate of a particular person. So the secrecy of ballot is lost, the sanctity of election is lost, and the minority or whoever it may be, will not be in a position to express their views regarding that particular motion in electing the Speaker. So, Sir, I do not know why this sudden change has been introduced now. In fact we have been taken unawares, suddenly, yesterday and there is this sudden change regarding the procedure to be adopted for the elections of the Speaker and the Deputy Speaker. I cannot see how the Government or the Minister concerned could institute this sudden change. Can he tell us if there was any difficulty in the procedure that was being adopted hitherto? Under that procedure, we have had two or three elections held and there was absolutely no trouble or controversy on any occasion; no case has gone up to the court; everything has gone on smoothly. So, why there should be this departure from the existing procedure is a thing which I cannot understand.

Mr. SPEAKER.—The Hon'ble Member is speaking on merits. The Hon'ble Minister is only seeking the leave of the House to move these draft amendments. That is all. Whether this House is prepared to grant him leave or not is the question at this stage.

Janab J. MOHAMED IMAM.—I beg to submit that under the Rules there are three occasions.

Mr. SPEAKER.—They are the second and next stages. But at this stage, whether the House is prepared to grant him leave is all the question.

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—Let him say what he wants to say, Sir. I will give reasons later.

Janab J. MOHAMED IMAM.—When are we to offer our remarks, I want to know. When it is moved and when it is sent to the Select Committee and after it is received back from the Select Committee, it will come with changes. I think this is the stage when we have to express our views, Sir.

Mr. **SPEAKER**.—Not on merits.

Janab J. **MOHAMED IMAM**.—Then, which is the occasion when we can offer remarks on merits?

Mr. **SPEAKER**.—There is the next motion. The member can offer his remarks at that stage.

Janab J. **MOHAMED IMAM**.—So, Sir, I feel it my duty to say that we are not prepared to grant leave for the introduction of these amendments.

Sri A. G. **RAMACHANDRA RAO**.—Sir, these Rules have been framed to bring them into line with those relating to the latest democracies of the world of which the House of Commons is the best example that we have today. The rules are almost analogous to the Rules that prevail in the House of Commons and they have been adopted by our Parliament also. Therefore, we did not want to lag behind and in order to bring them into line with those rules, the present amendments are tabled.

Mr. **SPEAKER**.—Now, as per Rule 183 the procedure is:

“When the motion is reached, the Speaker shall read the draft amendments and ask whether the Member has the leave of the Assembly. If objection is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than 20 members rise, accordingly, the Speaker shall intimate that the member has the leave of the Assembly.....”

So, I am bound to read the amendments to the House, but if the House is inclined to take them as read, that will be I think enough, because they are lengthy.

Janab J. **MOHAMED IMAM**.—It is not necessary to read.

Mr. **SPEAKER**.—Since objection is taken for granting leave, I will ask the House whether it is inclined to grant leave are not.

(The Members who were in favour of leave being granted were asked to rise in their seats and more than twenty members stood up.)

Mr. **SPEAKER**.—Since more than 20 members have given their consent, leave is granted.

*Motion to move.*

Sri A. G. **RAMACHANDRA RAO**.—I move:

“That the draft amendments be referred to a Special Committee.”

Mr. **SPEAKER**.—Motion moved:

“That the draft amendments be referred to a Special Committee.”

Janab J. **MOHAMED IMAM**.—I oppose these amendments being referred to a Special Committee. I do not want to repeat the arguments which I have advanced already.

Mr. **SPEAKER**.—Better the Hon'ble Member repeats them now so that other members may meet them.

Janab J. **MOHAMED IMAM**.—I am asked by the Speaker to repeat the arguments which I advanced when leave for introduction of these amendments was sought for. I submit to the House now that under the existing rules we have conducted two elections and we have elected two Speakers. Till now this practice has worked very satisfactorily and we do not find any controversy over the previous elections and all of us are very satisfied.

Sri B. **NARAYANASWAMY**.—(Mysore City South).—We should experiment on new things.

Janab J. **MOHAMED IMAM**.—Let us not try experiments.

This is not the time when we will have to try experiments. On the other hand we have to consolidate the position and work for the uplift of the country. And when we know that a certain procedure has worked very satisfactorily, then there is no need to risk a new experiment and land ourselves in troubles. Just now the Minister was pleased to say that this is the practice existing in all democratic countries, especially in western countries. Once I had an occasion to state that democracy which is being worked in other countries, for example in England, is quite different from that here. The spirit with which it is worked here is quite different. I pointed out at one time that in England the Speaker's place is never contested.

**Sri A. G. RAMACHANDRA RAO.**—It was contested very recently.

**Janab J. MOHAMED IMAM.**—I do not know. I know it was not contested. The present Speaker retired voluntarily—Col. Mill or somebody. He retired; then another Speaker was elected in his place.

**Sri L. SIDDAPPA (Channagiri).**—He means to say it is very rarely contested.

**Janab J. MOHAMED IMAM.**—His constituency is left uncontested and very rarely his place is contested in the House. And I know the Speaker comes from one party and the Deputy Speaker comes from another party. There is that understanding, on the basis of when convention and tradition are built up there. We have to build up similar convention and tradition here. It has been our tradition to elect a Speaker by a secret ballot under the present system of voting, but the one introduced now will not serve the purpose of democracy. Since there are party organisations in the House, the major party may impose its will on its constituent members and ask them to vote in a certain direction. It may be that this system is introduced to find out as to who has voted for or against a particular party. Thus there will not be the free voting in the majority party. On the other hand, if the voting is by secrecy and if it is by ballot, then every Member of this House, irrespective of the fetters of the limitations to which he is subjected to, will exercise his discretion; he will be guided by his conscience or he may be guided by party discipline and he will exercise his vote according to the circumstances. Under the change this valuable privilege is lost. And, the Members who take part in the election will be under a handicap and not only under a handicap but under a threat to vote in a certain manner or according to a certain mandate. This is not democracy. This will be autocracy and it will be an election by threat of the majority. So I say that there is no need for this sudden change. Let us try the existing system for another two or three occasions. After all it is

very satisfactory. I do not know how the new system will work. Simply because it is in vogue elsewhere, this is no reason why we should follow it. I therefore submit that we oppose reference of these amendments to a Special Committee.

**Sri B. NARAYANASWAMY.**—Sir, I rise to support the Hon'ble Minister in his motion to refer the draft amendments to a Special Committee. Mr. Speaker, the Leader of the Opposition seems to be labouring under a misconception of the working of democracy. When it comes to a question of application he seems to forget the fundamental principles of democracy.

**Janab J. MOHAMED IMAM.**—I can never forget.

**Sri B. NARAYANASWAMY.**—The very fact that we are living in a democratic world or having a democratic Government implies a party Government. The Hon'ble Minister was pleased to say that in other parts of the world where parliamentary democracy is in vogue, such a sort of election of the Speaker has been provided and Mysore being in the vanguard of all the other States, it is befitting that we should not lag behind other democratic Parliaments of any other country. As such, any misapprehension or any doubt in the mind of the Leader of the Opposition has to be eradicated by the simple fact that he himself referred that the place of the Speaker of the Parliament many a time will be uncontested or will not be contested at all. In that case, there is no necessity for us to rely on the old rules; there is no question of secrecy of ballot or anything in such cases. As a matter of fact, in the democratic way of living or in a Parliamentary Government it cannot be static, it has to be moving. I am telling my Hon'ble friend that we should have some faith, we should be experimenting on new things and there is nothing wrong in it, and it has already been experimented upon and for good. As such, the motion of the Hon'ble Minister to refer the matter to a Special Committee is commendable and is to be accepted.

**Sri A. G. RAMACHANDRA RAO.**—I believe this is the privilege that is granted to this Hon'ble House. The elections to the Speakership, etc., have been put on a different footing from other elections for the reason that the Hon'ble Members here are credited with a very great amount of courage of their convictions and a readiness for an open expression of their views. In ordinary elections the average man might be threatened or might be afraid of the environment and all those things might be presumed, but in the case of Hon'ble Members of this House they are presumed to possess very high qualities which I just now mentioned and therefore it is a compliment to this House. This practice is hallowed by the long established traditions of the House of Commons and its recent introduction in the Indian Parliament. Therefore the reasons which my Hon'ble friend the Leader of the Opposition said, do not hold water and I press this motion for reference of the draft amendments to a Special Committee.

**Mr. SPEAKER.**—The question is :

“That the draft amendments be referred to a Special Committee.”

*The motion was adopted.*

#### *Election to the Special Committee on the Rules of Procedure.*

**Mr. SPEAKER.**—The draft amendments shall be referred to a Special Committee consisting of the Speaker as the Chairman and the Deputy Speaker as a member and there shall be seven members also elected from the Assembly. The Assembly has therefore to select seven members to the Special Committee to report on the amendments proposed to the Rules of Procedure. For this purpose the Office of the Secretary will be open to receive notice of candidature up to 5 P. M. to-day and that the election, if necessary, will take place to-morrow the 16th July 1952 in the Secretary's room between the hours of 3 P. M. and 5 P. M. The election will be conducted in the manner set out in sub-rule (2) of rule 184 of the Rules

of Procedure and Conduct of Business in the Mysore Legislative Assembly, in accordance with the principle of proportional representation by means of the single transferable vote.

1-30 P. M.

#### **The Mysore Court Fees (Amendment) Bill, 1952.**

*Motion to consider*

**Sri A. G. RAMACHANDRA RAO** (Minister for Law and Education).—Sir, I move :

“That the Mysore Court Fees (Amendment) Bill, 1952, as reported by the Select Committee, be taken into consideration.”

Sir, the Select Committee has recommended the inclusion of a further proviso to section 4, Paragraph (v). It reads as follows :

“Provided further that when the value of land so determined exceeds twenty times the revenue payable on the land, the value shall be limited, for the purposes of this paragraph, to twenty times the said revenue.”

**Mr. SPEAKER.**—The question is :

“That the Mysore Court Fees (Amendment) Bill, 1952, as reported by the Select Committee, be taken into consideration.”

*The motion was adopted.*

**Mr. SPEAKER.**—Clauses 2 and 3. The question is :

“That Clauses 2 and 3 stand part of the Bill.”

*The motion was adopted.*

Clauses 2 and 3 were added to the Bill.

**Mr. SPEAKER.**—Clause 1. The question is :

“That Clause 1 stand part of the Bill.”

*The motion was adopted.*

Clause 1 was added to the Bill.

**Mr. SPEAKER.**—Title and Preamble. The question is :

“That the Title and the Preamble stand part of the Bill.”